IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO.868 OF 2005
IN
NOTICE OF MOTION NO.2336 OF 2005
IN
SUIT NO.2168 OF 2005

Manuel Gonsalves Trust & ors. Appellants

versus

Murlidhar S. Sadarangani & others Respondents

Mr.B.P.Apte, Sr.Counsel i/by Mr.S.M.Oka for appellants.

Mr.Murlidhar S.Sadarangani - respondent no.1 in person.

Mr.K.K.Singhvi, Sr.Counsel with Mr.U.J.Makhija i/by M/s.Mulla & Mulla & CBC for respondents

Mr.J.J.Bhatt, Sr.Counsel with Prakash Shah i/by PDS Legal for respondents 4 to 9.

CORAM : DR.S.RADHAKRISHNAN AND
S.C.DHARMADHIKARI, JJ.

DATE : 13th October 2005

PC :

1. Heard learned counsel for the appellant and respondents. By this appeal the appellant is challenging the ad-interim order dated 29th August 2005 whereby the learned Single Judge has declined to grant any ad-interim relief. After

hearing the parties for some time learned counsel for the appellant Mr.Apte does not press this appeal and makes a request that the learned Single Judge be requested to expeditiously hear the Notice of Motion itself.

2. Having regard to the facts and circumstances of the case, the hearing of the Notice of Motion no.2336 of 2005 is expedited. Parties are at liberty to move the learned Single Judge for fixed date of hearing. Appeal is allowed to be withdrawn. All the contentions of both the parties are kept expressly open.

(DR.S.RADHAKRISHNAN, J.)

(S.C.DHARMADHIKARI, J.)